

orders, minutes, notices and other proceedings may be offered in evidence in any legal proceeding; validating the form and substance of all bonds issued by such districts; providing that such bonds shall not be sold for less than ninety per cent (90%) of the face value and accrued interest thereon; providing the use of the proceeds of such bonds for the purposes for which voted; providing that such districts may retire said bonds and the costs of construction of their improvements by all the methods prescribed in this act; as by taxes, assessments, rents, tolls, fees and charges, or by mortgaging the physical properties; fixing the time and method of candidates making applications to have their names placed on the ballot at any election; providing that such districts shall have all the power and authority conferred by Section 59 Article 16 of the Constitution and by this act; declaring such districts essential to the accomplishment of such constitutional provisions and that they shall be governmental agencies and bodies, politic and corporate; providing that this act shall be cumulative of all other acts in force as to navigation districts hereafter to be organized, and providing a method by which such districts may come within the purview of this act or of Chapter 5 of the Acts of the Thirty-ninth Legislature and acts amendatory thereof; preserving the validity of any provisions of this act not specifically held to be illegal and providing a method whereby districts heretofore organized under existing law may avail themselves of the benefits of the provisions of this act, and declaring an emergency."

Has carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

TWELFTH DAY.

(Tuesday, September 20, 1932.)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called, and the following members were present:

Mr. Speaker.	Albritton.
Adams of Jasper.	Alsup.
Adamson.	Anderson.
Adkins.	Baker.
Akin.	Barron.

Beck.	Jones of Shelby.
Bounds.	Jones of Atascosa.
Boyd.	Justiss.
Bradley.	Kayton.
Brice.	Keller.
Brooks.	Kennedy.
Bryant.	Laird.
Burns of Walker.	Lasseter.
Burns	Lee.
of McCulloch.	Lemens.
Carpenter.	Leonard.
Caven.	Lilley.
Coltrin.	Lockhart.
Coombes.	Long.
Cox of Lamar.	McCombs.
Cox of Limestone.	McDougald.
Cunningham.	McGill.
Dale.	McGregor.
Daniel.	Magee.
Davis.	Metcalfe.
Dodd.	Moffett.
Donnell.	Moore.
Dowell.	Morse.
Dunlap.	Nicholson.
Duvall.	Olsen.
Dwyer.	O'Quinn.
Elliott.	Patterson.
Engelhard.	Petsch.
Farmer.	Pope.
Farrar.	Ramsey.
Finn.	Ray.
Fisher.	Rogers.
Forbes.	Rountree.
Ford.	Sanders.
Fuchs.	Satterwhite.
Gilbert.	Savage.
Giles.	Scott.
Goodman.	Shelton.
Graves.	Sherrill.
Greathouse.	Smith of Wood.
Grogan.	Sparkman.
Hanson.	Stephens.
Hardy.	Stevenson.
Harman.	Steward.
Harrison	Strong.
of El Paso.	Sullivant.
Harrison	Tarwater.
of Waller.	Terell
Hefley.	of Val Verde.
Herzik.	Towery.
Hill.	Turner.
Hines.	Van Zandt.
Holder.	Vaughan.
Holland.	Wagstaff.
Holloway.	Walker.
Hoskins.	Warwick.
Howsley.	Weinert.
Hubbard.	West of Coryell.
Hughes.	West of Cameron.
Jackson.	Westbrook.
Johnson of Dallam.	Wiggs.
Johnson	Young.
of Dimmit.	

Absent.

Martin.	Munson.
Mehl.	Smith of Bastrop.

Absent—Excused.

Adams of Harris.	Ratliff.
Bedford.	Reader.
Bond.	Richardson.
Claunch.	Terrell
Ferguson.	of Cherokee.
Mathis.	Wyatt.
Murphy.	

A quorum was announced present.

Prayer was offered by the Rev. Jno. W. Holt, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Murphy for today, on motion of Mr. Turner.

Mr. Bond for today and tomorrow, on motion of Mr. Metcalfe.

Mr. Claunch for yesterday, today and tomorrow, on motion of Mr. Grogan.

Mr. Reader for last Friday, Saturday, yesterday, today and tomorrow, on motion of Mr. Terrell of Val Verde.

Mr. Bedford for yesterday, today and tomorrow, on motion of Mr. Satterwhite.

Mr. Ferguson for today, on motion of Mr. Satterwhite.

The following members were granted leaves of absence on account of illness:

Mr. Ratliff for today, on motion of Mr. Ray.

Mr. Richardson for today, on motion of Mr. Harman.

RELATIVE TO THE CONSIDERATION OF RESOLUTIONS.

Mr. Petsch moved that the House dispense with the consideration of resolutions at this time.

The motion was lost.

BILL ORDERED NOT PRINTED.

On motion of Mr. West of Cameron, Senate bill No. 49 was ordered not printed.

CHANGE IN CONFERENCE COMMITTEE ON SENATE BILL NO. 44 ANNOUNCED.

The Speaker announced the appointment of Mr. Beck and Mr. McCombs to take the place of Mr. Bradley and Mr. Pope, resigned, on the conference committee on Senate bill No. 44.

RELATIVE TO THE STATE HIGHWAY POLICY IN THE CONSTRUCTION OF HIGHWAYS.

The Speaker laid before the House, for consideration at this time, House concurrent resolution No. 15, relative to policy of the State Highway Commission in the construction of highways, the resolution having been read second time on yesterday.

(Mr. Gilbert in the chair.)

Mr. Petsch moved the previous question on the resolution, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

(Speaker in the chair.)

Mr. Beck offered the following amendment to the resolution:

Amend House concurrent resolution No. 15 by adding the following: "Be it further resolved, That no new designations or relocations shall be made or constructions provided for anywhere so long as anyone can be found who knows more about laying out a system of State highways than does the State Highway Department."

Mr. Sulivant moved the previous question on the pending amendment to the resolution, and the main question was ordered.

Mr. Wagstaff offered the following amendment to the resolution:

Amend House concurrent resolution No. 15 by striking out paragraph 4 and by striking out the words "said Highway No. 89 and similar" on page 2, line 1, and by striking out the words "said cut-off Highway No. 89."

WAGSTAFF,
CUNNINGHAM.

The amendment was lost.

Question recurring on the amendment by Mr. Beck, it was lost.

The resolution was then adopted by the following vote:

Yeas—56.

Albritton.	Carpenter.
Baker.	Coltrin.
Barron.	Cox of Lamar.
Bounds.	Cox of Limestone.
Brice.	Daniel.
Brooks.	Davis.
Bryant.	Dodd.
Burns of Walker.	Donnell.
Burns	Elliott.
of McCulloch.	Engelhard.

Farmer.	Lasseter.
Farrar.	Lee.
Finn.	Lockhart.
Fisher.	McGregor.
Fuchs.	Moore.
Giles.	Pope.
Graves.	Ramsey.
Hanson.	Rogers.
Hardy.	Scott.
Harman.	Shelton.
Hefley.	Sherrill.
Hines.	Sparkman.
Hoskins.	Tarwater.
Howsley.	Terrell
Johnson	of Val Verde.
of Dimmit.	Vaughan.
Jones of Shelby.	Warwick.
Kayton.	West of Coryell.
Kennedy.	Young.
Laird.	

Nays—45.

Adamson.	Lilley.
Alsup.	Long.
Beck.	McCombs.
Boyd.	Magee.
Eradley.	McGill.
Coombes.	Metcalfe.
Cunningham.	Morse.
Dowell.	Nicholson.
Duvall.	Olsen.
Dwyer.	Petsch.
Forbes.	Ray.
Ford.	Rountree.
Gilbert.	Sanders.
Grogan.	Satterwhite.
Harrison	Savage.
of El Paso.	Stephens.
Harrison	Steward.
of Waller.	Strong.
Herzik.	Turner.
Hill.	Van Zandt.
Holland.	Wagstaff.
Hughes.	Weinert.
Justiss.	West of Cameron.
Lemens.	

Present—Not Voting.

Anderson.	Smith of Wood.
Goodman.	

Absent.

Adams of Jasper.	Leonard.
Adkins.	McDougald.
Akin.	Martin.
Caven.	Mehl.
Dale.	Moffett.
Dunlap.	Munson.
Greathouse.	O'Quinn.
Holder.	Patterson.
Holloway.	Smith of Bastrop.
Hubbard.	Stevenson.
Jackson.	Sullivant.
Jones of Atascosa.	Towery.
Johnson	Walker.
of Dallam.	Westbrook.
Keller.	Wiggs.

Absent—Excused.

Adams of Harris.	Ratliff.
Bedford.	Reader.
Bond.	Richardson.
Claunch.	Terrell
Ferguson.	of Cherokee.
Mathis.	Wyatt.
Murphy.	

RELATIVE TO ARREST OF TRUCK OPERATORS.

Mr. Cox of Lamar offered the following resolution:

Whereas, House bill No. 336 of the Regular Session of the Forty-second Legislature provides for the transportation of loads not to exceed 14,000 pounds under the conditions therein named; and

Whereas, Notwithstanding said right, the Highway Patrol of this State have been arbitrarily arresting operators lawfully transporting loads under said exceptions; and

Whereas, To correct this injustice, suits have been filed in the various district courts of Texas to restrain said officers from making said arrests under said conditions; and

Whereas, The respective district judges have issued injunctions against said patrol, but, notwithstanding said injunctions, an order has recently been issued by the Chief of the Highway Patrol directing and commanding all patrolmen to arrest all said operators, in violation of said injunctions; and

Whereas, Said arbitrary action on the part of the Highway Patrol has resulted in great injustice and humiliation to truck owners and operators attempting to obey the law, and has occasioned loss through holding up shipment of perishable products; now, therefore, be it

Resolved by this House of Representatives, That such arbitrary action on the part of the Highway Patrol is subject to censure, and instructions to violate orders of the district courts should be withdrawn and such wanton abuse of authority be and is hereby condemned. Be it further

Resolved, That the House of Representatives consider the courts of this State to be superior to any administrative department of the State in determination of the rights of citizens under the laws of Texas, and that the Highway Patrol should obey the mandates of the district court.

The resolution was read second time.

On motion of Mr. Beck, the resolution was referred to the Committee on Highways and Motor Traffic.

HOUSE BILL NO. 41 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 41, A bill to be entitled "An Act limiting the compensation of precinct, county or district officers to \$6000 per year; providing for an accounting of fees and other compensation; repealing conflicting laws; fixing effective date of bill, and declaring an emergency."

The bill was read third time and was passed.

HOUSE BILL NO. 65 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 65, A bill to be entitled "An Act amending Article 7046 of the Revised Civil Statutes of the State of Texas for 1925, providing that a poll tax of one dollar (\$1.00) only shall be collected on every person between the ages of 21 and 60 years; making certain exceptions; and declaring that no poll tax shall be levied for general revenue purposes, and that no county shall levy a poll tax, and providing where unorganized counties may pay, and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—74.

Adams of Jasper.	Davis.
Adamson.	Dodd.
Akin.	Donnell.
Albritton.	Duvall.
Anderson.	Dwyer.
Barron.	Elliott.
Bounds.	Engelhard.
Boyd.	Farmer.
Brooks.	Farrar.
Bryant.	Finn.
Burns of Walker.	Fisher.
Burns	Fuchs.
of McCulloch.	Greathouse.
Carpenter.	Hanson.
Coltrin.	Harrison
Cox of Lamar.	of El Paso.
Cox of Limestone.	Harrison
Cunningham.	of Waller.

Hefley.	Olsen.
Herzik.	Patterson.
Hines.	Pope.
Holland.	Ramsey.
Hoskins.	Rogers.
Hubbard.	Rountree.
Johnson	Satterwhite.
of Dimmit.	Scott.
Jones of Shelby.	Shelton.
Justiss.	Sherrill.
Kayton.	Smith of Wood.
Laird.	Sparkman.
Lasseter.	Sullivant.
Lee.	Tarwater.
Lockhart.	Terrell
Long.	of Val Verde.
McDougald.	Towery.
McGill.	Vaughan.
McGregor.	Walker.
Magee.	Wiggs.
Moffett.	Young.
Nicholson.	

Nays—38.

Alsup.	Lilley.
Baker.	McCombs.
Beck.	Metcalfe.
Caven.	Moore.
Coombes.	Morse.
Daniel.	Petsch.
Dowell.	Ray.
Forbes.	Sanders.
Ford.	Savage.
Giles.	Stephens.
Goodman.	Steward.
Graves.	Strong.
Harman.	Turner.
Hill.	Van Zandt.
Hughes.	Wagstaff.
Jackson.	Warwick.
Johnson	Weinert.
of Dallam.	West of Coryell.
Lemens.	West of Cameron.
Leonard.	

Present—Not Voting.

Brice.	Kennedy.
Grogan.	

Absent.

Adkins.	Jones of Atascosa.
Bradley.	Keller.
Dale.	Martin.
Dunlap.	Mehl.
Gilbert.	Munson.
Hardy.	O'Quinn.
Holder.	Smith of Bastrop.
Holloway.	Stevenson.
Howsley.	Westbrook.

Absent—Excused.

Adams of Harris.	Murphy.
Bedford.	Ratliff.
Bond.	Reader.
Claunch.	Richardson.
Ferguson.	Terrell of Cherokee.
Mathis.	Wyatt.

HOUSE BILL NO. 84 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 84, A bill to be entitled "An Act preventing punishment for violation of illegal injunctions."

The bill was read third time.

Mr. Burns of Walker offered the following amendment to the bill:

Amend House bill No. 84 by striking out the last paragraph thereof, which was placed in said bill by the amendment of Representative Graves on September 17, and insert in lieu thereof the following: "Whenever a citation is issued, citing any such person for contempt of court for violation of an injunction restraining the enforcement of a criminal statute, the judge before whom said issue of contempt is pending shall set the same down for trial within ten days after the service of such citation for contempt, and such hearing shall take precedence of all other matters in such said courts and the appellate courts, and a failure to have such hearing shall automatically dissolve such contempt citation, and any judgment entered thereon."

BURNS of Walker.
DANIEL.

The amendment was adopted.

House bill No. 84 was then passed.

SENATE BILL NO. 41 ON SECOND READING.

Mr. Hardy moved that the House Rule which relates to the consideration of bills forty-eight hours before final adjournment be suspended at this time for the purpose of taking up and considering Senate bill No. 41.

The motion prevailed.

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 41, A bill to be entitled "An Act to amend Articles 6050, 6058, 6060, as amended, 6066, as amended, Revised Civil Statutes of Texas, 1925, and by adding Articles 6058-a and 6058-b, so as to more clearly define gas utility and to prohibit the raising of gas rates in unincorporated towns and in incorporated towns of less than 500 population, and of rural subscribers without notice and hearings; to authorize

the Railroad Commission of Texas to make appraisals and audits in incorporated towns and cities of between 500 and 30,000 population; to provide for the necessary funds and organization in carrying out the provisions of this act, and declaring an emergency."

The bill was read second time.

(Mr. McGill in the chair.)

Mr. Van Zandt offered the following amendments to the bill:

(1)

Amend Senate bill No. 41 by adding at the end of Section 3 the following: "provided, however that said gas utilities are authorized to enter into contract, or contracts, for the sale of industrial gas without the necessity of presenting such contract, or contracts, to the Railroad Commission for its approval, and provided further that upon complaint of either party to such contract, or contracts, the Commission may, after notice and hearing, review and/or revise the rates provided for in such contract, or contracts, and enter any order in connection therewith that it may deem just and reasonable."

(2)

Amend the caption of Senate bill No. 41 by striking out in line 7 the words "between 500 and 30,000 population" and substitute in lieu thereof the following: "5000 population or less; to authorize the Railroad Commission under certain conditions to aid cities of 5000 population, or more, in making an appraisal of the properties and an audit of the accounts of the gas utility, or gas utilities, serving such cities."

(3)

Amend the caption of Senate bill No. 41 by adding after the word "act" and immediately before the words "and declaring an emergency," the following: "providing that if any provision of this act is declared invalid or unconstitutional, that it shall not affect any other provision of this"

(4)

Amend Senate bill No. 41 by adding at the end of Section 5 the following: "for the enforcement of the provisions of this act and the provisions of Article 6050 to 6066, inclusive, Revised Civil Statutes of

Texas, 1925, and all amendments thereto and subdivision thereof."

VAN ZANDT,
BARRON.

The amendments were severally adopted.

Mr. Satterwhite offered the following amendment to the bill:

Amend Senate bill No. 41, page 3, line 30, by striking out the words and figures "five thirty-secondths (5/32)," and substitute in lieu thereof the words and figures "one-twentieth (1/20)."

Also amend page 4, line 1, by striking out the words and figures "eight thirty-secondths (8/32)," and insert in lieu thereof the words and figures "one-twentieth (1/20)."

Also amend page 5, line 23, by striking out the words and figures "one hundred thousand dollars (\$100,000)," and insert in lieu thereof the words and figures "fifty thousand dollars (\$50,000)."

On motion of Mr. Van Zandt, the amendment was tabled.

(Speaker in the chair.)

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, September 20, 1932.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted conference committee report on Senate bill No. 44 by the following vote: Yeas 27, nays 0.

Respectfully,

BOB BARKER,
Secretary of the Senate.

BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled bill:

S. B. No. 34, "An Act to repeal Chapter 167, page 286, Acts of the Forty-second Legislature, etc., and declaring an emergency."

RECESS.

On motion of Mr. McGregor, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

SENATE BILL NO. 41 ON PASSAGE TO THIRD READING.

The House resumed consideration of pending business, same being Senate bill No. 41, relative to more clearly defining gas utilities, etc., on its passage to third reading,

The bill having heretofore been read second time.

Mr. Keller offered the following amendment to the bill:

Amend Senate bill No. 41 by striking out of Section 5 the words and figures "one hundred thousand dollars (\$100,000)," and substituting in lieu thereof the words and figures "seventy thousand dollars (\$70,000)."

On motion of Mr. Van Zandt, the amendment was tabled.

Mr. Keller offered the following amendment to the bill:

Amend Senate bill No. 41 by adding at the end of Section 5 the following: "provided that all appraisals and/or audits made by the Commission shall be a matter of public record and open to inspection at all times by any interested party."

On motion of Mr. Van Zandt, the amendment was tabled.

Mr. Pope offered the following amendment to the bill:

Amend Senate bill No. 41 by adding a new section to be designated "Section 2a" to be inserted at the end of Section 2 to read as follows, to-wit:

"Section 2a. That Article 6059 of the Revised Civil Statutes of 1925 is hereby amended so as to hereafter read as follows:

"Article 6059. If any gas utility or other party at interest be dissatisfied with the decision of any rate, classification, rule, charge, order, act or regulation adopted by the Commission, such dissatisfied utility or party may file a petition setting forth the particular cause of objection thereto in a court of competent jurisdiction in the county wherein is situated the city for which such rate is fixed, against the Commission as defendant. Said action shall have precedence over all other causes on the docket of a different nature and shall be tried and determined as

other civil causes in said court. Either party to said action may have the right of appeal; and said appeal shall be at once returnable to the appellate court, and said action so appealed shall have precedence in said appellate court of all causes of a different character therein pending. If the court be in session at the time such right of action accrues, the suit may be filed during such term and stand ready for trial after ten days' notice. In all trials under this article the burden of proof shall rest upon the plaintiff, who must show by clear and satisfactory evidence that the rates, regulations, orders, classifications, acts or charges complained of are unreasonable and unjust to it or them."

The amendment was adopted.

Mr. Sherrill offered the following amendment to the bill:

Amend Senate bill No. 41 by striking out the words "90 days" wherever they may occur in Section 3, and insert in lieu thereof the words "30 days."

(Mr. McGill in the chair.)

On motion of Mr. Van Zandt, the amendment was tabled.

By unanimous consent of the House the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

Question recurring on the passage of the bill to third reading, yeas and nays were demanded.

Senate bill No. 41 was then passed to third reading by the following vote:

Yeas—97.

Mr. Speaker.	Dowell.
Adams of Jasper.	Dunlap.
Adamson.	Duvall.
Akin.	Elliott.
Albritton.	Engelhard.
Alsup.	Farmer.
Baker.	Farrar.
Barron.	Fisher.
Bounds.	Forbes.
Boyd.	Ford.
Brice.	Fuchs.
Bryant.	Giles.
Burns of Walker.	Goodman.
Carpenter.	Graves.
Coltrin.	Greathouse.
Cox of Limestone.	Hanson.
Cunningham.	Hardy.
Daniel.	Harman.
Davis.	Harrison
Dodd.	of El Paso.
Donnell.	Harrison of Waller.

Hefley.	Nicholson.
Herzik.	Pope.
Hill.	Ramsey.
Hines.	Ray.
Holder.	Sanders.
Holland.	Satterwhite.
Holloway.	Scott.
Hoskins.	Shelton.
Hubbard.	Smith of Wood.
Hughes.	Sparkman.
Jackson.	Stephens.
Johnson of Dallam.	Steward.
Johnson	Strong.
of Dimmit.	Sullivant.
Jones of Atascosa.	Tarwater.
Justiss.	Terrell
Kayton.	of Val Verde.
Kennedy.	Towery.
Laird.	Turner.
Lasseter.	Van Zandt.
Lemens.	Vaughan.
Leonard.	Wagstaff.
Lockhart.	Walker.
Long.	Warwick.
McDougald.	Weinert.
McGregor.	West of Coryell.
Magee.	West of Cameron.
Metcalf.	Westbrook.
Moore.	Young.

Nays—6.

Coombes.	Morse.
Howsley.	Savage.
McCombs.	Sherrill.

Absent.

Adams of Harris.	Lee.
Adkins.	Lilley.
Anderson.	McGill.
Beck.	Martin.
Bradley.	Mehl.
Brooks.	Moffett.
Burns	Munson.
of McCulloch.	Olsen.
Caven.	O'Quinn.
Cox of Lamar.	Patterson.
Dale.	Petsch.
Dwyer.	Rogers.
Finn.	Rountree.
Gilbert.	Smith of Bastrop
Grogan.	Stevenson.
Jones of Shelby.	Wiggs.
Keller.	

Absent—Excused.

Bedford.	Ratliff.
Bond.	Reader.
Claunch.	Richardson.
Ferguson.	Terrell
Mathis.	of Cherokee.
Murphy.	Wyatt.

(Speaker in the chair.)

SENATE BILL NO. 41 ON THIRD READING.

Mr. Van Zandt moved that the constitutional rule requiring bills to be

read on three several days be suspended, and that Senate bill No. 41 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Mr. Speaker.	Jackson.
Adams of Jasper.	Johnson
Adamson.	of Dallam.
Adkins.	Johnson
Akin.	of Dimmit.
Albritton.	Jones of Atascosa.
Alsup.	Justiss.
Baker.	Kayton.
Barron.	Keller.
Bounds.	Kennedy.
Boyd.	Laird.
Brice.	Lasseter.
Bryant.	Lee.
Burns of Walker.	Lemens.
Carpenter.	Lockhart.
Coltrin.	Long.
Cox of Limestone.	McDougald.
Cunningham.	McGill.
Daniel.	McGregor.
Davis.	Metcalf.
Dodd.	Moffett.
Donnell.	Moore.
Dowell.	Nicholson.
Elliott.	Pope.
Engelhard.	Ramsey.
Farmer.	Ray.
Farrar.	Sanders.
Finn.	Satterwhite.
Fisher.	Savage.
Forbes.	Shelton.
Ford.	Smith of Wood.
Fuchs.	Sparkman.
Giles.	Stephens.
Goodman.	Stevenson.
Graves.	Steward.
Greathouse.	Strong.
Hanson.	Sullivant.
Hardy.	Tarwater.
Harman.	Terrell
Harrison	of Val Verde.
of El Paso.	Towery.
Harrison	Turner.
of Waller.	Van Zandt.
Hefley.	Vaughan.
Herzik.	Wagstaff.
Hill.	Walker.
Hines.	Warwick.
Holder.	Weinert.
Holland.	West of Coryell.
Holloway.	West of Cameron.
Hoskins.	Westbrook.
Hubbard.	Young.
Hughes.	

Nays—6.

Coombes.	Morse.
Howsley.	Scott.
McCombs.	Sherrill.

Absent.

Adams of Harris.	Jones of Shelby.
Anderson.	Leonard.
Beck.	Lilley.
Bradley.	Magee.
Brooks.	Martin.
Burns	Mehl.
of McCulloch.	Munson.
Caven.	Olsen.
Cox of Lamar.	O'Quinn.
Dale.	Patterson.
Dunlap.	Petsch.
Duvall.	Rogers.
Dwyer.	Rountree.
Gilbert.	Smith of Bastrop.
Grogan.	Wiggs.

Absent—Excused.

Bedford.	Ratliff.
Bond.	Reader.
Claunch.	Richardson.
Ferguson.	Terrell
Mathis.	of Cherokee.
Murphy.	Wyatt.

The Speaker then laid Senate bill No. 41 before the House on its third reading and final passage.

The bill was read third time.

Mr. Keller offered the following amendment to the bill:

Amend Senate bill No. 41 in Section 4 by adding after the words "September 30, 1932," in line 23, the following: "provided, however, the report to be filed on September 30, 1932, shall not include the tax increases under this bill."

The amendment was adopted.

Senate bill No. 41 was then passed by the following vote:

Yeas—103.

Mr. Speaker.	Cunningham.
Adams of Jasper.	Daniel.
Adamson.	Davis.
Akin.	Dodd.
Albritton.	Donnell.
Alsup.	Dowell.
Baker.	Duvall.
Barron.	Elliott.
Beck.	Engelhard.
Bounds.	Farmer.
Boyd.	Farrar.
Brice.	Finn.
Bryant.	Fisher.
Burns of Walker.	Forbes.
Burns	Ford.
of McCulloch.	Fuchs.
Carpenter.	Giles.
Coltrin.	Goodman.
Coombes.	Graves.
Cox of Limestone.	Greathouse.

Hanson.	Moffett.
Hardy.	Moore.
Harman.	Nicholson.
Harrison	Pope.
of El Paso.	Ramsey.
Harrison	Ray.
of Waller.	Rountree.
Hefley.	Sanders.
Herzik.	Satterwhite.
Hill.	Savage.
Hines.	Scott.
Holder.	Shelton.
Holland.	Smith of Bastrop.
Holloway.	Smith of Wood.
Hoskins.	Sparkman.
Hubbard.	Stephens.
Hughes.	Steward.
Jackson.	Strong.
Johnson	Sullivant.
of Dallam.	Tarwater.
Johnson	Terrell
of Dimmit.	of Val Verde.
Jones of Atascosa.	Towery.
Justiss.	Turner.
Kennedy.	Van Zandt.
Laird.	Vaughan.
Lasseter.	Wagstaff.
Lee.	Walker.
Lemens.	Warwick.
Lockhart.	Weinert.
Long.	West of Coryell.
McDougald.	West of Cameron.
McGill.	Westbrook.
Magee.	Young.
Metcalf.	

Nays—4.

Howsley.	Morse.
McCombs.	Sherrill.

Absent.

Adams of Harris.	Leonard.
Adkins.	Lilley.
Anderson.	McGregor.
Bradley.	Martin.
Brooks.	Mehl.
Caven.	Munson.
Cox of Lamar.	Olsen.
Dale.	O'Quinn.
Dunlap.	Patterson.
Dwyer.	Petsch.
Gilbert.	Rogers.
Grogan.	Stevenson.
Jones of Shelby.	Wiggs.
Kayton.	Wyatt.
Keller.	

Absent—Excused.

Bedford.	Ratliff.
Bond.	Reader.
Claunch.	Richardson.
Ferguson.	Terrell
Mathis.	of Cherokee.
Murphy.	

SENATE BILL NO. 49 ON SECOND READING.

On motion of Mr. McGregor, the 48-hour rule was suspended to take up, for consideration at this time, Senate bill No. 49.

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 49, A bill to be entitled "An Act amending Article 8225, Revised Civil Statutes of 1925, as amended by Chapter 27, General Laws, Fourth Called Session, Forty-first Legislature, as amended by Chapter 21, General Laws, Second Called Session, Forty-second Legislature, prohibiting mineral development on coastal lands used for navigation purposes so long as said lands are used for navigation purposes by any navigation district or by the United States Government, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 49 ON THIRD READING.

Mr. West of Cameron moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 49 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Adams of Jasper.	Dunlap.
Adamson.	Elliott.
Adkins.	Engelhard.
Albritton.	Farmer.
Alsup.	Finn.
Baker.	Forbes.
Barron.	Ford.
Beck.	Fuchs.
Bounds.	Giles.
Boyd.	Goodman.
Brice.	Graves.
Bryant.	Grogan.
Burns of Walker.	Hanson.
Burns	Hardy.
of McCulloch.	Harrison
Carpenter.	of El Paso.
Caven.	Harrison
Coltrin.	of Waller.
Cox of Limestone.	Hefley.
Cunningham.	Herzik.
Daniel.	Hill.
Davis.	Hines.
Dodd.	Holland.
Donnell.	Holloway.
Dowell.	Hoskins.

Hubbard.	Patterson.
Hughes.	Pope.
Jackson.	Ramsey.
Johnson.	Ray.
of Dallam.	Rountree.
Johnson	Sanders.
of Dimmit.	Satterwhite.
Jones of Atascosa.	Savage.
Justiss.	Shelton.
Kayton.	Smith of Bastrop.
Kennedy.	Smith of Wood.
Laird.	Sparkman.
Lasseter.	Stephens.
Lee.	Stevenson.
Lemens.	Steward.
Leonard.	Strong.
Lilley.	Sullivant.
Lockhart.	Tarwater.
McCombs.	Towery.
McDougald.	Turner.
McGill.	Van Zandt.
McGregor.	Wagstaff.
Magee.	Walker.
Metcalfe.	Warwick.
Moffett.	Weinert.
Moore.	West of Coryell.
Morse.	West of Cameron.
Nicholson.	Westbrook.
Olsen.	Young.

Nays—4.

Coombes.	Greathouse.
Farrar.	Vaughan.

Absent.

Adams of Harris.	Keller.
Akin.	Long.
Anderson.	Martin.
Bradley.	Mehl.
Brooks.	Munson.
Cox of Lamar.	O'Quinn.
Dale.	Petsch.
Duvall.	Rogers.
Dwyer.	Scott.
Fisher.	Sherrill.
Gilbert.	Terrell.
Harman.	of Val Verde.
Holder.	Wiggs.
Howsley.	Wyatt.
Jones of Shelby.	

Absent—Excused.

Bedford.	Ratliff.
Bond.	Reader.
Claunch.	Richardson.
Ferguson.	Terrell.
Mathis.	of Cherokee.
Murphy.	

The Speaker then laid Senate bill No. 49 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—104.

Adams of Jasper.	Johnson
Adamson.	of Dallam.
Adkins.	Johnson
Albritton.	of Dimmit.
Alsup.	Jones of Atascosa.
Baker.	Kayton.
Barron.	Keller.
Beck.	Kennedy.
Bounds.	Laird.
Boyd.	Lasseter.
Brice.	Lee.
Bryant.	Lemens.
Burns of Walker.	Leonard.
Burns	Lilley.
of McCulloch.	Lockhart.
Carpenter.	Long.
Caven.	McCombs.
Coltrin.	McDougald.
Coombes.	McGill.
Cox of Limestone.	McGregor.
Cunningham.	Magee.
Daniel.	Metcalfe.
Davis.	Moffett.
Dodd.	Moore.
Donnell.	Morse.
Dowell.	Nicholson.
Dunlap.	Olsen.
Elliott.	Patterson.
Engelhard.	Pope.
Farmer.	Ramsey.
Finn.	Ray.
Forbes.	Rountree.
Ford.	Sanders.
Fuchs.	Satterwhite.
Giles.	Savage.
Goodman.	Shelton.
Graves.	Smith of Bastrop.
Hanson.	Sparkman.
Hardy.	Stephens.
Harrison	Stevenson.
of El Paso.	Steward.
Harrison	Strong.
of Waller.	Sullivant.
Hefley.	Tarwater.
Herzik.	Towery.
Hill.	Turner.
Hines.	Van Zandt.
Holland.	Wagstaff.
Holloway.	Walker.
Hoskins.	Warwick.
Howsley.	Weinert.
Hubbard.	West of Coryell.
Hughes.	West of Cameron.
Jackson.	Westbrook.
	Young.

Nays—4.

Akin.	Greathouse.
Farrar.	Vaughan.

Absent.

Adams of Harris.	Brooks.
Anderson.	Cox of Lamar.
Bradley.	Dale.

Duvall.	Munson.
Dwyer.	O'Quinn.
Fisher.	Petsch.
Gilbert.	Rogers.
Grogan.	Scott.
Harman.	Sherrill.
Holder.	Smith of Wood.
Jones of Shelby.	Terrell
Justiss.	of Val Verde.
Martin.	Wiggs.
Mehl.	Wyatt.

Absent—Excused.

Bedford.	Ratliff.
Bond.	Reader.
Claunch.	Richardson.
Ferguson.	Terrell
Mathis.	of Cherokee.
Murphy.	

SENATE BILL NO. 29 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 29, A bill to be entitled "An Act to authorize the creation of corporations formed wholly for the purpose of providing housing for families of low income and or for reconstruction of slum areas; making provisions for the regulation by the governing bodies of municipalities in which the properties of such corporations may be situated as to rents, charges, capital structure, rate of return and areas and methods of operation; making provisions for the powers of such corporations and the fees and taxes to be paid thereby; and making provisions for appeals by such corporations when dissatisfied with the fixing or changing of rents, charges, capital structures, rate of return and area and method of operation, and providing penalties for violation of regulatory measures, and declaring an emergency."

The bill was read second time.

Mr. Mr. Harrison of El Paso offered the following amendment to the bill:

Amend Senate bill No. 29, by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. Corporations may be formed wholly for the purpose of providing housing for families of low income and or for reconstruction of slum areas, provided such corporations are regulated by State or mu-

nicipal law, as hereinafter provided as to rents, charges, capital structure, rate of return and areas and method of operation.

"Sec. 2. Applications for charters for corporations, the creation of which are authorized under the provisions of this act, in addition to requirements now prescribed by law, must be accompanied by a certificate executed by the officials of the governing body of the municipality in which said corporation contemplates owning or operating any properties, certifying that the capital structure thereof and the plans and specifications of the proposed building has the approval of such governing body. Such certificate shall not be binding upon the Secretary of State who shall proceed to file or refuse to file the charter in accordance with the provisions of existing laws.

"Sec. 3. Any corporation organized under the provisions of this act shall have, except as herein provided, all the powers of private domestic corporations which have been heretofore organized under the provisions of the laws of the State of Texas, and shall pay all fees and taxes which are required to be paid by private domestic corporations organized and/or existing under the laws of the State of Texas.

"Sec. 4. The rents, charges, capital structure, rate of return and areas and method of operation of any corporation organized under the provisions of Section 1 hereof shall be regulated, as hereinafter provided, by the governing body of any municipality in which said corporation owns and operates any property. Should any such corporation own and operate properties in more than one municipality, the governing body of each municipality in which property of the corporation is situated, shall regulate in the manner prescribed by this act the rents, charges, rate of return and area and method of operation of the property located within the territorial limits of such municipality, provided the governing body of a county shall not have the jurisdiction of regulation of property of such corporation situated within the corporate limits of a town, village, or city.

"Sec. 5. The governing body fixing the rate of return for a corporation organized under the provisions

of Section 1 of this act shall not fix such rates of return to yield a net amount in excess of eight per cent (8%) upon the invested capital of such corporation.

"Sec. 6. Such governing body may establish rules and regulations governing its procedure for hearings in fixing or amending orders or ordinances fixing the rents, charges, rate of return and areas and methods of corporations organized under the provisions of Section 1 hereof, and before any building is erected by such corporation, the detailed plans and specifications thereof, must be approved by the governing body of the municipality in which such building is to be erected.

"Sec. 7. Any corporation organized and existing under and by virtue of provisions of Section 1 hereof, which shall be dissatisfied with any rents, charges, rate of return and area and method of operation which is fixed or may be fixed or may be changed by any governing body, may, by giving to such governing body ten (10) days' notice by registered mail of its intention thereof, appeal to any district court of the county wherein the property which is affected is situated. The appeal shall be perfected by filing suit in the district court of the county in which the property is situated within ten (10) days after the giving of such notice, and the filing of such suit shall suspend the order, rule, regulation, or ordinance from which the appeal is perfected. The municipality shall be defendant in said suit. The trial shall be de novo, and court, upon a hearing, shall, by its judgment, regulate the rents, charges, rate of return, areas and method of operation of the corporation.

"Sec. 8. Any corporation created under the provisions of this act, in addition to the powers herein granted, shall have full power and authority to do all things necessary to secure loans from the Reconstruction Finance Corporation under the rules and regulations prescribed by said Reconstruction Finance Corporation.

"Sec. 9. Provided that nothing in this act shall in anywise affect or nullify the Anti-trust laws of this State.

"Sec. 10. If any agent, servant, officer or employe of any corporation created under the provisions of this act shall wilfully violate any order, rule, regulation or ordinance fixing rents, charges, rate of return, areas and method of operation, the district court of the county in which the property of such corporation is situated, upon application of the governing body of the municipality wherein the corporation owns property or upon application of any labor inspector employed by the State of Texas when authorized to so act by the Commissioner of Labor Statistics of the State of Texas, may issue during its term or in vacation a temporary writ of injunction restraining such agents, servants, officers or employes from any violation of such order, rule, regulation or ordinance and which temporary writ of injunction may be made permanent upon notice and hearing in the manner now provided by law. No bond shall be required before issuing any such temporary or permanent injunction and if any such injunction is violated by the agents, servants, officers or employes of said corporation, the court, in addition to its power to punish for contempt, may order that the building of such corporation shall not be used or occupied for any period not to exceed one year but the court shall permit said building to be occupied or used if the owner, lessee, tenant or occupant thereof shall give bond with sufficient surety to be provided by the court in the sum of not less than \$500 nor more than \$1000, payable to the judge of said court, conditioned that said corporation, its agents, servants, officers or employes will thereafter comply with the orders, rules, regulations or ordinances which have been or may be promulgated, fixing the rents, charges, or rate of return, areas and methods of operation of said corporation and that it will pay all fines and costs that may be assessed in contempt proceedings against its agents, servants, officers and employes for the violation of any writ of injunction existing, or which may thereafter be issued.

"Sec. 11. The fact that the Congress of the United States in creating the Reconstruction Finance Corporation, with the amendments thereto, has made provisions for loans direct to corporations organized under

State laws for the purpose of providing housing for families of low income, and the laws of Texas do not authorize the creation of corporations which can qualify for such loans, and there exists a great need for a law authorizing the creation of corporations of this nature, in order that funds may be made available for the elimination of slum districts and the erection and establishment of buildings providing livable quarters for the housing of families of low income, creates an emergency and an imperative public necessity demanding that the constitutional rule requiring bills to be read on three several days in both houses be suspended, and such rule is hereby suspended and this act shall take effect and be in force from and after its passage, and it is so enacted."

Mr. Harrison of El Paso offered the following amendment to the amendment:

Amend amendment to Senate bill No. 29, by adding after the word "body," in line 33, of page 1, of the mimeographed copy thereof, the following: "provided, that where said corporation contemplates the owning or operating of properties situated outside the corporate limits of any organized town, city or village, then the certification herein referred to shall be executed by the commissioners court of any county in which it is contemplated to own and/or operate properties within the scope of this act, and by inserting after the word "municipality," where it occurs in lines 11, 14, 18, and 32, of page 2, and in lines 12 and 23, of page 3, of the mimeographed copy thereof the following: "or county, where the properties to be owned or operated are situated outside the corporate limits of any organized town, city or village."

The amendment was adopted.

The amendment as amended was then adopted.

By unanimous consent of the House the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

Senate bill No. 29 was then passed to third reading.

SENATE BILL NO. 29 ON THIRD READING.

Mr. Harrison of El Paso moved that the constitutional rule requir-

ing bills to be read on three several days be suspended, and that Senate bill No. 29 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104.

Mr. Speaker.	Johnson
Adams of Jasper.	of Dimmit.
Adkins.	Jones of Shelby.
Akin.	Jones of Atascosa.
Albritton.	Justiss.
Alsup.	Kayton.
Baker.	Keller.
Barron.	Kennedy.
Beck.	Laird.
Bounds.	Lasseter.
Boyd.	Lee.
Brice.	Lemens.
Bryant.	Leonard.
Burns of Walker.	Lilley.
Burns	Lockhart.
of McCulloch.	Long.
Coltrin.	McDougald.
Coombes.	McGill.
Cox of Lamar.	McGregor.
Cox of Limestone.	Magee.
Daniel.	Metcalfe.
Davis.	Moffett.
Dodd.	Morse.
Donnell.	Nicholson.
Dowell.	Patterson.
Dunlap.	Petsch.
Elliott.	Pope.
Engelhard.	Ramsey.
Farmer.	Ray.
Finn.	Sanders.
Forbes.	Satterwhite.
Ford.	Savage.
Fuchs.	Shelton.
Goodman.	Smith of Bastrop.
Graves.	Smith of Wood.
Greathouse.	Sparkman.
Grogan.	Stevenson.
Hanson.	Steward.
Hardy.	Strong.
Harman.	Sullivant.
Harrison	Terrell
of El Paso.	of Val Verde.
Harrison	Towery.
of Waller.	Turner.
Hefley.	Van Zandt.
Herzik.	Vaughan.
Hines.	Wagstaff.
Holder.	Walker.
Holland.	Warwick.
Holloway.	Weinert.
Hoskins.	West of Coryell.
Howsley.	West of Cameron.
Hubbard.	Westbrook.
Hughes.	Young.
Jackson.	

Nays—1.

Farrar.

Present—Not Voting.

Stephens.

Absent.

Adams of Harris.	Johnson
Adamson.	of Dallam.
Anderson.	McCombs.
Bradley.	Martin.
Brooks.	Mehl.
Carpenter.	Moore.
Caven.	Munson.
Cunningham.	Olsen.
Dale.	O'Quinn.
Duvall.	Rogers.
Dwyer.	Rountree.
Fisher.	Scott.
Gilbert.	Sherrill.
Giles.	Tarwater.
Hill.	Wiggs.
	Wyatt.

Absent—Excused.

Bedford.	Ratliff.
Bond.	Reader.
Claunch.	Richardson.
Ferguson.	Terrell
Mathis.	of Cherokee.
Murphy.	

The Speaker then laid Senate bill No. 29 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—104.

Mr. Speaker.	Farmer.
Adams of Jasper.	Finn.
Adkins.	Forbes.
Akin.	Ford.
Albritton.	Fuchs.
Alsup.	Goodman.
Baker.	Graves.
Barron.	Grogan.
Beck.	Hanson.
Bounds.	Hardy.
Boyd.	Harman.
Brice.	Harrison
Bryant.	of El Paso.
Burns of Walker.	Hefley.
Burns	Herzik.
of McCulloch.	Hines.
Carpenter.	Holder.
Caven.	Holland.
Coltrin.	Holloway.
Coombes.	Hoskins.
Cox of Limestone.	Howsley.
Daniel.	Hubbard.
Davis.	Hughes.
Dodd.	Jackson.
Donnell.	Johnson
Dowell.	of Dallam.
Dunlap.	Johnson
Elliott.	of Dimmit.
Engelhard.	Jones of Shelby.

Justiss.	Savage.
Kayton.	Shelton.
Keller.	Sherrill.
Kennedy.	Smith of Bastrop.
Lasseter.	Smith of Wood.
Lee.	Sparkman.
Lemens.	Stevenson.
Lilley.	Steward.
Lockhart.	Strong.
Long.	Sullivant.
McDougald.	Tarwater.
McGill.	Terrell
McGregor.	of Val Verde.
Magee.	Towery.
Metcalfe.	Turner.
Moffett.	Van Zandt.
Morse.	Vaughan.
Nicholson.	Wagstaff.
Olsen.	Walker.
Pope.	Warwick.
Ramsey.	Weinert.
Ray.	West of Coryell.
Rogers.	West of Cameron.
Rountree.	Westbrook.
Sanders.	Young.
Satterwhite.	

Nays—2.

Farrar.	Greathouse.
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Present—Not Voting.

Stephens.

Absent.

Adams of Harris.	Hill.
Adamson.	Jones of Atascosa.
Anderson.	Laird.
Bradley.	Leonard.
Brooks.	McCombs.
Cox of Lamar.	Martin.
Cunningham.	Mehl.
Dale.	Moore.
Duvall.	Munson.
Dwyer.	O'Quinn.
Fisher.	Patterson.
Gilbert.	Petsch.
Giles.	Scott.
Harrison	Wiggs.
of Waller.	Wyatt.

Absent—Excused.

Bedford.	Ratliff.
Bond.	Reader.
Claunch.	Richardson.
Ferguson.	Terrell
Mathis.	of Cherokee.
Murphy.	

BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled bill:

S. B. No. 48, Relating to the theft of oil in Texas, etc., and declaring an emergency."

SENATE BILL NO. 39 ON THIRD READING.

Mr. Caven moved that the 48-hour rule be suspended to take up, for consideration at this time,

S. B. No. 39, A bill to be entitled "An Act creating the Special District Court of Rusk and Gregg counties, Texas, prescribing its jurisdiction, limiting its existence, fixing its terms; providing for the appointment of a judge thereof, fixing his compensation, making an appropriation therefor, prescribing his powers and duties, providing for the transfer of cases from the Fourth Judicial District of Rusk county and from the One Hundred and Twenty-fourth Judicial District of Gregg county; and from the Special District Court to the Fourth Judicial District of Rusk county and the One Hundred and Twenty-fourth Judicial District of Gregg county; providing for the district clerks of Rusk and Gregg counties and their successors in office, to be the clerks for said Special District Court in their respective counties; providing that the district attorney of the District Court of Rusk county and the district attorney of Gregg county shall represent the State in said Special District Court in their respective counties, without extra compensation from said Special District Court in their respective counties; providing a seal for said Special District Court; providing that if any section of this act be held unconstitutional or invalid for any reason, the same shall not impair or affect the remaining sections or provisions, and declaring an emergency."

The motion prevailed.

The Speaker laid the bill before the House, it was read third time and was passed.

CONFERENCE COMMITTEE
REPORT ON SENATE
BILL NO. 44.

Mr. Young, chairman, submitted the following conference committee report on Senate bill No. 44:

Committee Room,
Austin, Texas, September 20, 1932.
Hon. Edgar E. Witt, President of the Senate, and Hon. Fred H. Minor, Speaker of the House of Representatives.

Sirs: We, your free conference committee, appointed to adjust the

differences between the Senate and the House on Senate bill No. 44, have had same under consideration and beg to report back with the recommendation that it do not pass, but that the attached bill do pass.

DEBERRY,
RAWLINGS.
POAGE,
BERKELEY,
WOODUL,

On the part of the Senate.

ANDERSON,
McCOMBS,
BECK,
YOUNG,
HUGHES,

On the part of the House.

S. B. No. 44.

A BILL

To Be Entitled

An Act for the purpose of releasing the interest and penalties on all delinquent ad valorem and poll taxes due the State, any county, special school district, school district, road district, levee improvement district, water improvement district and water control and improvement district, irrigation district and other defined subdivisions of the State. Also cities, towns and villages, provided said taxes are paid on or before December 31, 1932; and providing further, that the provisions of this act releasing interest and penalties shall not apply to cities, towns, and villages unless and until the governing body thereof finds that unusual or excessive defaults in the payment of taxes has occurred, and that an extension of time for the payment of such delinquent ad valorem and poll taxes will promote and accelerate the collection thereof, whereupon such governing body by resolution, or ordinance, evidencing such finding and recording the same shall have the authority to put in force and effect the provisions hereof as to such cities, towns, and villages; suspending all laws and parts of laws in conflict herewith during the term this act is in force; and providing further that, if any section, clause, sentence, paragraph, or part of the act is adjudged to be invalid by any court of final or competent jurisdiction, such judgment shall not affect, impair, or invalidate the remainder of this act, re-

pealing Senate bill No. 3, passed at the Third Called Session of the Forty-second Legislature, and declaring an emergency, and providing that this act shall take effect and be in force from and after its passage.

Be it enacted by the Legislature of the State of Texas:

Section 1. That all interest and penalties that have accrued or that may accrue on ad valorem and poll taxes that are delinquent on or before December 31, 1932, due the State, any county, special school district, school district, road district, levee improvement district, water improvement district and water control and improvement district, irrigation district and other defined subdivisions of the State (and, subject to the provisions hereinbefore and hereinafter contained, such interest and penalties on delinquent ad valorem and poll taxes due cities, towns, and villages), shall be and the same are hereby released, provided, said ad valorem and poll taxes are paid on or before December 31, 1932. It is provided that the provisions hereof shall not apply to cities, towns and villages unless and until the governing body of any such city, town, or village finds that unusual or excessive default in the payment of ad valorem and poll taxes has occurred, and that an extension of time for the payment of such delinquent ad valorem and poll taxes will promote and accelerate the collection thereof, whereupon such governing body shall adopt a resolution, or ordinance, evidencing such finding, and upon the recording of such findings of fact, the provisions of this act shall be in full force and effect as to any such city, town or village.

Sec. 2. All laws and parts of laws in conflict herewith are hereby expressly suspended during the term of this act so far as they may affect this act.

Sec. 2a. It is provided further that in case any section, clause, sentence, paragraph or part of this act shall for any reason be adjudged by any court of competent or final jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this act, but shall be confined in its operation to the section, clause, sentence, paragraph, or part thereof directly involved in

the controversy in which said judgment shall have been rendered.

Sec. 3. Senate bill No. 3 passed at the Third Called Session of the Forty-second Legislature is hereby in all things expressly repealed.

Sec. 4. The fact that millions of dollars in taxes are now due and have been due to the State and its subdivisions for many years past by people who would meet their obligations to the State government if the unreasonable costs and penalties and interest were omitted, creates an emergency and an imperative public necessity demanding that the constitutional rule which requires all bills to be read on three several days in each house be suspended, and said rule is hereby suspended, and said act shall be in force and take effect from and after its passage, and it is so enacted.

On motion of Mr. Young, the report was adopted by the following vote:

Yeas—105.

Adams of Jasper.	Graves.
Adamson.	Greathouse.
Adkins.	Grogan.
Akin.	Hanson.
Albritton.	Hardy.
Alsup.	Harman.
Anderson.	Harrison
Baker.	of El Paso.
Barron.	Harrison
Bounds.	of Waller.
Boyd.	Hefley.
Brice.	Hill.
Bryant.	Hines.
Burns of Walker.	Holder.
Burns	Holland.
of McCulloch.	Holloway.
Caven.	Hoskins.
Coltrin.	Howsley.
Coombes.	Hubbard.
Cox of Lamar.	Hughes.
Cox of Limestone.	Jackson.
Cunningham.	Johnson
Daniel.	of Dallam.
Davis.	Johnson
Dodd.	of Dimmit.
Donnell.	Jones of Shelby.
Dunlap.	Jones of Atascosa.
Duvall.	Kayton.
Elliott.	Kennedy.
Engelhard.	Laird.
Farrar.	Lasseter.
Finn.	Lee.
Forbes.	Leonard.
Ford.	Lilley.
Fuchs.	Lockhart.
Giles.	Long.
Goodman.	McCombs.

McDougald.	Smith of Wood.
McGill.	Sparkman.
McGregor.	Stephens.
Magee.	Steward.
Metcalfe.	Strong.
Moffett.	Tarwater.
Nicholson.	Terrell
Olsen.	of Val Verde.
Petsch.	Towery.
Pope.	Turner.
Ramsey.	Vaughan.
Ray.	Wagstaff.
Rogers.	Walker.
Rountree.	Warwick.
Satterwhite.	Weinert.
Savage.	West of Coryell.
Shelton.	Westbrook.
Sherrill.	Young.
Smith of Bastrop.	

Nays—5.

Beck.	Sanders.
Farmer.	Stevenson.
Morse.	

Absent.

Adams of Harris.	Martin.
Bradley.	Mehl.
Brooks.	Moore.
Carpenter.	Munson.
Dale.	O'Quinn.
Dowell.	Patterson.
Dwyer.	Scott.
Fisher.	Sullivan.
Gilbert.	Van Zandt.
Herzik.	West of Cameron.
Justiss.	Wiggs.
Keller.	Wyatt.
Lemens.	

Absent—Excused.

Bedford.	Ratliff.
Bond.	Reader.
Claunch.	Richardson.
Ferguson.	Terrell
Mathis.	of Cherokee.
Murphy.	

REASON FOR VOTE.

I voted for the free conference report on this bill because it is the best bill obtainable. I voted for and fought for the Bradley amendment, which would relinquish penalties on city taxes, but having finally lost out, I accept the best obtainable.

GREATHOUSE.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, September 20, 1932.
Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate

has concurred in House amendments to Senate bill No. 48 by the following vote: Yeas 25, nays 1.

Respectfully,

BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 86 ON SECOND READING.

Mr. Anderson moved that the 48-hour rule be suspended to take up for consideration at this time,

H. B. No. 86, A bill to be entitled "An Act amending Chapter 308 of the General Laws of the State of Texas passed by the Regular Session of the Forty-second Legislature, adjusting the compensation for county treasurers in counties of population of not less than two hundred fifty thousand (250,000), where the treasurer of such counties prepares the pay rolls, makes payments thereunder in cash, and acts as paymaster for the county, in addition to the regular duties as county treasurer, and declaring an emergency."

The motion prevailed.

The Speaker laid the bill before the House, and it was read second time.

House bill No. 86 was then passed to engrossment.

HOUSE BILL NO. 86 ON THIRD READING.

Mr. Anderson moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 86 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101.

Mr. Speaker.	Coltrin.
Adams of Jasper.	Cox of Lamar.
Adamson.	Cox of Limestone.
Adkins.	Cunningham.
Akin.	Daniel.
Albritton.	Davis.
Alsup.	Dodd.
Anderson.	Donnell.
Baker.	Dowell.
Barron.	Dunlap.
Bounds.	Elliott.
Boyd.	Engelhard.
Brice.	Farmer.
Bryant.	Farrar.
Burns of Walker.	Finn.
Carpenter.	Forbes.
Caven.	Ford.

Fuchs.	McGill.
Giles.	McGregor.
Graves.	Magee.
Greathouse.	Metcalf.
Grogan.	Moffett.
Hanson.	Nicholson.
Harman.	Olsen.
Harrison	Patterson.
of Waller.	Pope.
Hefley.	Ramsey.
Herzik.	Ray.
Hill.	Rogers.
Hines.	Rountree.
Holder.	Sanders.
Holloway.	Scott.
Hoskins.	Shelton.
Howsley.	Sherrill.
Hughes.	Smith of Bastrop.
Jackson.	Smith of Wood.
Johnson	Sparkman.
of Dallam.	Stephens.
Jones of Atascosa.	Stevenson.
Justiss.	Strong.
Kayton.	Tarwater.
Kennedy.	Terrell
Laird.	of Val Verde.
Lasseter.	Towery.
Lee.	Turner.
Lemens.	Vaughan.
Leonard.	Wagstaff.
Lilley.	Walker.
Lockhart.	Warwick.
Long.	Weinert.
McCombs.	Westbrook.
McDougald.	Young.

Nays—1.

Hubbard.

Absent.

Adams of Harris.	Jones of Shelby.
Beck.	Keller.
Bradley.	Martin.
Brooks.	Mehl.
Burns	Moore.
of McCulloch.	Morse.
Coombes.	Munson.
Dale.	O'Quinn.
Duvall.	Petsch.
Dwyer.	Satterwhite.
Fisher.	Savage.
Gilbert.	Steward.
Goodman.	Sullivant.
Hardy.	Van Zandt.
Harrison	West of Coryell.
of El Paso.	West of Cameron.
Holland.	Wiggs.
Johnson	Wyatt.
of Dimmit.	

Absent—Excused.

Bedford.	Ratliff.
Bond.	Reader.
Claunch.	Richardson.
Ferguson.	Terrell
Mathis.	of Cherokee.
Murphy.	

The Speaker then laid House bill No. 86 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—100.

Adams of Jasper.	Hughes.
Adamson.	Jackson.
Adkins.	Jones of Atascosa.
Akin.	Justiss.
Albritton.	Kayton.
Alsup.	Kennedy.
Anderson.	Laird.
Baker.	Lasseter.
Barron.	Lee.
Beck.	Lemens.
Bounds.	Lilley.
Boyd.	Lockhart.
Brice.	Long.
Bryant.	McCombs.
Burns of Walker.	McDougald.
Carpenter.	McGill.
Caven.	McGregor.
Coltrin.	Magee.
Cox of Lamar.	Metcalf.
Cox of Limestone.	Moffett.
Cunningham.	Nicholson.
Daniel.	Olsen.
Davis.	Petsch.
Dodd.	Pope.
Donnell.	Ramsey.
Dowell.	Ray.
Duvall.	Rogers.
Elliott.	Rountree.
Engelhard.	Sanders.
Farmer.	Savage.
Farrar.	Scott.
Finn.	Shelton.
Forbes.	Sherrill.
Ford.	Smith of Bastrop.
Fuchs.	Smith of Wood.
Giles.	Sparkman.
Graves.	Stephens.
Greathouse.	Stevenson.
Grogan.	Strong.
Hanson.	Tarwater.
Harman.	Terrell
Harrison	of Val Verde.
of El Paso.	Towery.
Harrison	Turner.
of Waller.	Vaughan.
Hefley.	Wagstaff.
Hill.	Walker.
Hines.	Warwick.
Holloway.	Weinert.
Hoskins.	Westbrook.
Howsley.	Young.
Hubbard.	

Nays—2.

Johnson	Morse.
of Dallam.	

Absent.

Adams of Harris.	Bradley.
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Brooks.	Keller.
Burns	Leonard.
of McCulloch.	Martin.
Coombes.	Mehl.
Dale.	Moore.
Dunlap.	Munson.
Dwyer.	O'Quinn.
Fisher.	Patterson.
Gilbert.	Satterwhite.
Goodman.	Steward.
Hardy.	Sullivant.
Herzik.	Van Zandt.
Holder.	West of Coryell.
Holland.	West of Cameron.
Johnson	Wiggs.
of Dimmit.	Wyatt.
Jones of Shelby.	

Absent—Excused.

Bedford.	Ratliff.
Bond.	Reader.
Claunch.	Richardson.
Ferguson.	Terrell
Mathis.	of Cherokee.
Murphy.	

SENATE BILL NO. 27 ON SECOND READING.

Mr. Satterwhite moved that the 48-hour rule be suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 27, A bill to be entitled "An Act requiring the Land Commissioner to ascertain and determine the amounts of bonus and rental money due the State and by whom due under the operation, terms and conditions of Chapter 81, printed Acts of the Second Called Session of the Thirty-sixth Legislature, and the amendment thereof by the First Called Session of the Thirty-seventh Legislature, which acts are generally referred to as the Relinquishment Act, authorizing the Land Commissioner to settle and compromise such debts with the debtors on the basis of actual amounts found due less all just and lawful credits, and declaring an emergency."

The motion prevailed.

The Speaker laid the bill before the House, and it was read second time.

Mr. Wagstaff offered the following amendments to the bill.

(1)

Amend Senate bill No. 27, by striking out Section 9 and insert in lieu thereof a new section as follows:

"Sec. 9. The terms and provisions of this act shall not apply to any bonus or rental money due the State which has been paid to any lessor subsequent to October 30, 1929; and nothing in this act shall be construed to affect or change the existing rights and obligations between the land owners and lessees, as to such indebtedness."

(2)

Amend Senate bill No. 27, by inserting between lines 31 and 32, page 6, of the printed bill (House bill No. 72), a new section numbered 10, as follows:

"Sec. 10. The terms and provisions of this act shall not apply to any bonus and/or rental money derived from a lease upon any section or part of section of land producing oil and/or gas in commercial paying quantities at the effective date of this act; nor to any bonus and/or rental money held in escrow under any contract."

And renumber succeeding sections accordingly.

WAGSTAFF,
PETSCH.

The amendments were severally adopted.

Mr. Wagstaff offered the following amendment to the bill:

Amend Senate bill No. 27, by striking out, in the printed bill (House bill No. 72), in line 9, page 4, the words and figures "one-fortieth (1/40)" and insert in lieu thereof the words and figures "one-tenth (1/10)," and by striking out in lines 11 and 12, page 4, the words and figures "forty (40) years from the date of such obligations" and insert in lieu thereof the following: "in ten (10) equal annual installments payable on or before their due date."

The amendment was adopted.

(Mr. McGill in the chair.)

Mrs. Hughes offered the following amendment to the bill:

Amend Senate bill No. 27, Section 5, by changing the words and figures "three per cent (3%)" to "six per cent (6%)," and "five per cent (5%)" to "ten per cent (10%)."

HUGHES,
GRAVES,
BURNS of Walker.

(Speaker in the chair.)

Mr. Van Zandt moved the previous question on the pending amendment, amendment on the Speaker's stand, and the bill, and the main question was ordered.

Question first recurring on the amendment by Mrs. Hughes, it was lost.

Mr. Long offered the following amendment to the bill:

Amend Senate bill No. 27, Section 6, lines 18 and 39, by striking out the word "may" and insert in lieu thereof the words "shall and must."

The amendment was adopted.

Mr. Graves offered the following amendment to the bill:

Amend Senate bill No. 27 by adding the following after the end of Section 5: "provided, however, nothing herein shall ever be construed to relieve any lessee from his primary obligation to pay the State its portion of the bonus and rental; and the execution of the obligation herein provided for shall not operate to release such lessee from such debt; and any payment on any such above described obligation shall be a credit on the debt due by the lessee of such amount only, the lessee continuing to be primarily liable for the unpaid remainder of such amount until such obligation shall have been fully discharged."

GRAVES,
HUGHES,
BURNS of Walker.

The amendment was adopted.

Mrs. Hughes offered the following amendments to the bill:

(1)

Amend Senate bill No. 27 by adding after Section 10 of the printed bill a new section as follows: "The provisions of this act shall not apply to any pending litigation."

(2)

Amend Senate bill No. 27, Section 6, by changing the words and figures "ninety days," wherever they occur, to the words and figures "thirty days."

(3)

Amend Senate bill No. 27, Section 6, by changing the words and figures "six months" to "two months."

HUGHES,
GRAVES,
BURNS of Walker.

The amendments were severally adopted.

Mrs. Hughes offered the following amendment to the bill:

Amend Senate bill No. 27 by striking out Sections 7 and 8 and renumbering the paragraphs accordingly.

HUGHES,
GRAVES,
BURNS of Walker.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Nays—42.

Akin.	Harrison
Albritton.	of Waller.
Alsop.	Holland.
Barron.	Holloway.
Boyd.	Hoskins.
Bryant.	Hughes.
Burns of Walker.	Kayton.
Carpenter.	Kennedy.
Coltrin.	Lemens.
Daniel.	Lockhart.
Dodd.	Long.
Dowell.	McCombs.
Elliott.	Magee.
Engelhard.	Morse.
Farmer.	Ray.
Farrar.	Sherrill.
Fuchs.	Stephens.
Giles.	Towery.
Goodman.	Vaughan.
Graves.	West of Coryell.
Hanson.	West of Cameron.
Harman.	

Nays—61.

Adams of Jasper.	Hefley.
Adamson.	Herzik.
Anderson.	Hill.
Baker.	Howsley.
Bounds.	Hubbard.
Brooks.	Johnson
Burns	of Dallam.
of McCulloch.	Johnson
Caven.	of Dimmit.
Coombes.	Jones of Atascosa.
Cox of Limestone.	Justiss.
Cunningham.	Lasseter.
Davis.	Lilley.
Donnell.	McGill.
Duvall.	Metcalfe.
Finn.	Moffett.
Fisher.	Moore.
Forbes.	Nicholson.
Ford.	Olsen.
Gilbert.	Patterson.
Greathouse.	Petsch.
Hardy.	Pope.
Harrison	Rountree.
of El Paso.	Satterwhite.

Scott.	Turner.
Smith of Bastrop.	Van Zandt.
Smith of Wood.	Wagstaff.
Sparkman.	Walker.
Stevenson.	Warwick.
Steward.	Weinert.
Strong.	Westbrook.
Tarwater.	Young.
Terrell	
of Val Verde.	

Absent.

Adams of Harris.	Lee.
Adkins.	Leonard.
Beck.	McDougald.
Bradley.	McGregor.
Brice.	Martin.
Cox of Lamar.	Mehl.
Dale.	Munson.
Dunlap.	O'Quinn.
Dwyer.	Ramsey.
Grogan.	Rogers.
Hines.	Sanders.
Holder.	Savage.
Jackson.	Shelton.
Jones of Shelby.	Sullivant.
Keller.	Wiggs.
Laird.	Wyatt.

Absent—Excused.

Bedford.	Ratliff.
Bond.	Reader.
Claunch.	Richardson.
Ferguson.	Terrell
Mathis.	of Cherokee.
Murphy.	

Mrs. Hughes offered the following amendment to the bill:

Amend Senate bill No. 27, by adding, in Sections 3, 4, 5, and 6, after the words "Land Commissioner" wherever they appear, the words "and the State Auditor."

HUGHES,
GRAVES,
BURNS of Walker.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—42.

Akin.	Elliott.
Albritton.	Farmer.
Alsup.	Farrar.
Brice.	Fuchs.
Bryant.	Giles.
Burns of Walker.	Goodman.
Carpenter.	Graves.
Coltrin.	Hanson.
Daniel.	Holland.
Dodd.	Hoskins.
Dowell.	Hughes.

Kayton.	Sherrill.
Kennedy.	Smith of Bastrop.
Laird.	Smith of Wood.
Lemens.	Sparkman.
Lockhart.	Stephens.
McCombs.	Strong.
Magee.	Towery.
Morse.	Vaughan.
Ray.	West of Coryell.
Rountree.	West of Cameron.

Nays—63.

Mr. Speaker.	Johnson
Adams of Jasper.	of Dallam.
Adamson.	Johnson
Anderson.	of Dimmit.
Baker.	Jones of Atascosa.
Bounds.	Justiss.
Boyd.	Lasseter.
Brooks.	Lilley.
Burns	Long.
of McCulloch.	McGill.
Caven.	Metcalfe.
Coombes.	Moffett.
Cox of Limestone.	Moore.
Cunningham.	Nicholson.
Davis.	Olsen.
Donnell.	Patterson.
Duvall.	Petsch.
Engelhard.	Pope.
Finn.	Sanders.
Fisher.	Satterwhite.
Forbes.	Scott.
Ford.	Stevenson.
Gilbert.	Steward.
Greathouse.	Tarwater.
Grogan.	Terrell
Hardy.	of Val Verde.
Harrison	Turner.
of El Paso.	Van Zandt.
Hefley.	Wagstaff.
Herzik.	Walker.
Hill.	Warwick.
Holloway.	Weinert.
Howsley.	Westbrook.
Hubbard.	Young.

Absent.

Adams of Harris.	Keller.
Adkins.	Lee.
Barron.	Leonard.
Beck.	McDougald.
Bradley.	McGregor.
Cox of Lamar.	Martin.
Dale.	Mehl.
Dunlap.	Munson.
Dwyer.	O'Quinn.
Harman.	Ramsey.
Harrison	Rogers.
of Waller.	Savage.
Hines.	Shelton.
Holder.	Sullivant.
Jackson.	Wiggs.
Jones of Shelby.	Wyatt.

Absent—Excused.

Bedford.	Ratliff.
Bond.	Reader.
Claunch.	Richardson.
Ferguson.	Terrell
Mathis.	of Cherokee.
Murphy.	

Mrs. Hughes offered the following amendment to the bill:

Amend Senate bill No. 27, Sections 5 and 6, by striking out the words "the county" to "situation," and insert the following: "Travis county."

HUGHES,
GRAVES,
BURNS of Walker.

The amendment was lost.

Mrs. Hughes offered the following amendment to the bill:

Amend Senate bill No. 27, Sections 3, 4, 5 and 6, by changing the word "debtor" wherever it appears to the word "debtors."

HUGHES,
GRAVES,
BURNS of Walker.

The amendment was adopted.

Mr. Long offered the following amendment to the bill:

Amend Senate bill No. 27, Section 8, line 23, by striking out the word "two" and insert in lieu thereof the word "four."

The amendment was lost.

Mrs. Hughes offered the following amendment to the bill:

Amend Senate bill No. 27, Section 5, line 17, by adding the following sentence after the words "per annum": "Such obligation shall further reserve to the State a lien on the said land."

HUGHES,
GRAVES,
BURNS of Walker.

Question recurring on the amendment, yeas and nays were demanded.

The roll was called, and the vote of the House announced as follows: Yeas 52, nays 52.

Mrs. Hughes called for a verification of the vote.

The roll of the yeas and nays was then called, and the verified vote announced, as follows:

Yeas—53.

Adamson.	Albritton.
Akin.	Alsop.

Barron.	Jones of Atascosa.
Bounds.	Kayton.
Boyd.	Kennedy.
Brice.	Laird.
Bryant.	Lasseter.
Burns of Walker.	Lemens.
Carpenter.	Lockhart.
Caven.	McCombs.
Coltrin.	Magee.
Cox of Limestone.	Morse.
Daniel.	Ray.
Dodd.	Rountree.
Elliott.	Sanders.
Engelhard.	Savage.
Farmer.	Sherrill.
Farrar.	Smith of Wood.
Fisher.	Sparkman.
Fuchs.	Stephens.
Giles.	Strong.
Goodman.	Towery.
Graves.	Van Zandt.
Hanson.	Vaughan.
Herzik.	West of Coryell.
Holland.	West of Cameron.
Hughes.	

Nays—51.

Mr. Speaker.	Johnson
Adams of Jasper.	of Dimmit.
Anderson.	Justiss.
Baker.	Lilley.
Burns	McGill.
of McCulloch.	Metcalfe.
Coombes.	Moffett.
Cunningham.	Moore.
Davis.	Nicholson.
Donnell.	Olsen.
Duvall.	Patterson.
Finn.	Petsch.
Forbes.	Pope.
Ford.	Satterwhite.
Gilbert.	Scott.
Greathouse.	Stevenson.
Grogan.	Steward.
Hardy.	Tarwater.
Harman.	Terrell
Harrison	of Val Verde.
of El Paso.	Turner.
Hefley.	Wagstaff.
Hill.	Walker.
Holloway.	Warwick.
Howsley.	Weinert.
Hubbard.	Westbrook.
Jackson.	Young.
Johnson	
of Dallam.	

Absent.

Adams of Harris.	Dunlap.
Adkins.	Dwyer.
Beck.	Harrison
Bradley.	of Waller.
Brooks.	Hines.
Cox of Lamar.	Holder.
Dale.	Hoskins.
Dowell.	Jones of Shelby.

Keller.	O'Quinn.
Lee.	Ramsey.
Leonard.	Rogers.
Long.	Shelton.
McDougald.	Smith of Bastrop.
McGregor.	Sullivant.
Martin.	Wiggs.
Mehl.	Wyatt.
Munson.	

Absent—Excused.

Bedford.	Ratliff.
Bond.	Reader.
Claunch.	Richardson.
Ferguson.	Terrell
Mathis.	of Cherokee.
Murphy.	

The Speaker announced that the amendment was adopted.

Mrs. Hughes offered the following amendments to the bill:

(1)

Amend Senate bill No. 27, Section 2, second line in said section, by striking out the words "more than twelve" and inserting the word "nine"

(2)

Amend Senate bill No. 27 by striking out the last section of said bill and inserting the following: "The fact that the House calendar is crowded, and the further fact that it is impossible for the amount of indebtedness of land owners and lessees to the State to be determined, creates an emergency and an imperative public necessity that the constitutional rule requiring all bills to be read on three several days in each house be, and the same is, hereby suspended."

HUGHES,
GRAVES,
BURNS of Walker.

The amendments were severally adopted.

Senate bill No. 27 was then passed to third reading by the following vote:

Yeas—81.

Mr. Speaker.	Brice.
Adams of Jasper.	Burns
Adamson.	of McCulloch.
Adkins.	Carpenter.
Albritton.	Caven.
Alsup.	Coltrin.
Anderson.	Coombes.
Baker.	Cunningham.
Bounds.	Davis.
Boyd.	Donnell.

Dowell.	McGill.
Duvall.	Metcalfe.
Farrar.	Moffett.
Finn.	Moore.
Forbes.	Nicholson.
Ford.	Olsen.
Fuchs.	O'Quinn.
Gilbert.	Patterson.
Greathouse.	Petsch.
Grogan.	Pope.
Hanson.	Ray.
Hardy.	Rountree.
Harman.	Sanders.
Harrison	Satterwhite.
of El Paso.	Sherrill.
Hefley.	Smith of Wood.
Hill.	Sparkman.
Holland.	Stephens.
Holloway.	Stevenson.
Howsley.	Steward.
Hubbard.	Strong.
Hughes.	Tarwater.
Jackson.	Terrell
Johnson	of Val Verde.
of Dallam.	Turner.
Johnson	Van Zandt.
of Dimmit.	Wagstaff.
Jones of Atascosa.	Walker.
Justiss.	Warwick.
Kennedy.	Weinert.
Lasseter.	Westbrook.
Lemens.	Wiggs.
Lilley.	Young.

Nays—24.

Akin.	Harrison
Barron.	of Waller.
Bryant.	Herzik.
Burns of Walker.	Hoskins.
Cox of Limestone.	Kayton.
Daniel.	Laird.
Dodd.	Lockhart.
Elliott.	McCombs.
Engelhard.	Magee.
Farmer.	Morse.
Fisher.	West of Coryell.
Goodman.	West of Cameron.
Graves.	

Absent.

Adams of Harris.	McDougald.
Beck.	McGregor.
Bradley.	Martin.
Brooks.	Mehl.
Cox of Lamar.	Munson.
Dale.	Ramsey.
Dunlap.	Rogers.
Dwyer.	Savage.
Giles.	Scott.
Hines.	Shelton.
Holder.	Smith of Bastrop.
Jones of Shelby.	Sullivant.
Keller.	Towery.
Lee.	Vaughan.
Leonard.	Wyatt.
Long.	

Absent—Excused.

Bedford.	Ratliff.
Bond.	Reader.
Claunch.	Richardson.
Ferguson.	Terrell
Mathis.	of Cherokee.
Murphy.	

PAIRED.

Mr. Vaughan (present), who would vote "nay," with Mr. Dwyer (absent), who would vote "yea."

MOTION TO TAKE UP SENATE BILL NO. 27.

Mr. Satterwhite moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate bill No. 27 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

Yeas—74.

Mr. Speaker.	Johnson of Dallam.
Adams of Jasper.	Johnson
Adamson.	of Dimmit.
Adkins.	Jones of Atascosa.
Albritton.	Justiss.
Alsup.	Lasseter.
Anderson.	Lemens.
Baker.	Lilley.
Bounds.	McGill.
Boyd.	Metcalf.
Burns	Moffett.
of McCulloch.	Moore.
Carpenter.	Morse.
Caven.	Nicholson.
Coltrin.	Olsen.
Coombes.	O'Quinn.
Cunningham.	Patterson.
Davis.	Petsch.
Donnell.	Pope.
Dowell.	Ray.
Duvall.	Sanders.
Engelhard.	Satterwhite.
Finn.	Smith of Wood.
Forbes.	Sparkman.
Ford.	Stevenscn.
Fuchs.	Steward.
Gilbert.	Strong.
Greathouse.	Tarwater.
Grogan.	Terrell
Hardy.	of Val Verde.
Harman.	Turner.
Harrison	Van Zandt.
of El Paso.	Wagstaff.
Hefley.	Walker.
Hill.	Warwick.
Holland.	Weinert.
Holloway.	Westbrook.
Howsley.	Wiggs.
Hubbard.	Young.

Nays—29.

Akin.	Harrison
Barron.	of Waller.
Bryant.	Hoskins.
Burns of Walker.	Hughes.
Cox of Limestone.	Kayton.
Daniel.	Laird.
Dodd.	Lockhart.
Elliott.	McCombs.
Farmer.	Magee.
Farrar.	Rountree.
Fisher.	Sherrill.
Giles.	Stephens.
Goodman.	Vaughan.
Graves.	West of Coryell.
Hanson.	West of Cameron.

Absent.

Adams of Harris.	Leonard.
Beck.	Long.
Bradley.	McDougald.
Brice.	McGregor.
Brooks.	Martin.
Cox of Lamar.	Mehl.
Dale.	Munson.
Dunlap.	Ramsey.
Dwyer.	Rogers.
Herzik.	Savage.
Hines.	Scott.
Holder.	Shelton.
Jackson.	Smith of Bastrop.
Jones of Shelby.	Sullivant.
Keller.	Towery.
Kennedy.	Wyatt.
Lee.	

Absent—Excused.

Bedford.	Ratliff.
Bond.	Reader.
Claunch.	Richardson.
Ferguson.	Terrell
Mathis.	of Cherokee.
Murphy.	

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, September 20, 1932.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has concurred in House amendments to Senate bill No. 41 by the following vote: Yeas 28, nays 0.

The Senate has concurred in House amendments to Senate bill No. 29 by the following vote: Yeas 26, nays 1.

The Senate has passed

H. B. No. 89, A bill to be entitled "An Act relating to the moving of Ellis county from the Fifth Supreme Judicial District to the Tenth Supreme Judicial District, etc."

The Senate has concurred in House

amendments to Senate bill No. 42 by a viva voce vote.

Respectfully,
BOB BARKER,
Secretary of the Senate.

**EXPRESSION OF SYMPATHY AND
CONDOLENCE TO SPEAKER
JOHN N. GARNER.**

On motion of Mr. Satterwhite, a message of condolence was wired to the Hon. John N. Garner, Speaker of the National House of Representatives, on the death of his mother, Mrs. Sarah Jane Garner.

ADJOURNMENT.

Mr. Morse moved that the House adjourn until 9:30 o'clock a. m. tomorrow.

Mr. Jones of Atascosa moved that the House adjourn until 9 o'clock a. m. tomorrow.

The motion of Mr. Morse prevailed, and the House, accordingly, at 6 o'clock p. m., adjourned until 9:30 o'clock a. m. tomorrow.

APPENDIX.

**REPORTS OF THE COMMITTEE
ON ENGROSSED BILLS.**

Committee Room,
Austin, Texas, September 19, 1932.
Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 84, A bill to be entitled "An Act preventing punishment for violation of illegal injunctions,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room,
Austin, Texas, September 19, 1932.
Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 41, A bill to be entitled "An Act amending Article 3891 of the Revised Civil Statutes as amended by the Forty-second Legislature, providing for the disposition of fees of office and setting maxi-

mum for precinct, county and district officers; providing that if any part of this act is held unconstitutional, it shall not affect the remaining parts of the act; repealing all laws in conflict herewith; fixing the effective date of the bill, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room,
Austin, Texas, September 19, 1932.
Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 65, A bill to be entitled "An Act amending Article 7046 of the Revised Civil Statutes of the State of Texas for 1925, providing that a poll tax of one dollar (\$1.00) only shall be collected on every person between the ages of 21 and 60 years; making certain exceptions; and declaring that no poll tax shall be levied for general revenue purposes, and that no county shall levy a poll tax, and providing where unorganized counties may pay, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room,
Austin, Texas, September 20, 1930.
Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 86, A bill to be entitled "An Act amending Chapter 308 of the General Laws of the State of Texas passed by the Regular Session of the Forty-second Legislature, adjusting the compensation for county treasurers in counties of a population of not less than two hundred fifty thousand (250,000), where the treasurer of such counties prepares the pay rolls, makes payments thereunder in cash, and acts as paymaster for the county, in addition to the regular duties as county treasurer, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

**In Memory
of
Hon. Newton B. Williams**

Mr. Harman offered the following resolution:

Whereas, The members of the House have been grieved by the sad news of the death on September 8, 1932, of Honorable Newton Barber Williams, of Waco, Texas, who served as a member of this body in the Thirty-second, Thirty-third, Thirty-fourth, Thirty-fifth, Thirty-sixth and Thirty-seventh Legislatures; and

Whereas, His long, faithful and unselfish public service as a member of the House of Representatives stands out in the history of Texas as a model for public servants; and

Whereas, His presence as a member of the House was an inspiration to his fellow members and employes alike, because of his lovable disposition, his unusual devotion to public duties and his remarkable qualities of leadership; and

Whereas, He has for years served prominently as a member of the bar of this State, and has been identified in business and politics as having at heart the best interests of his home town and the State at large; therefore, be it

Resolved by the House of Representatives, That it is with deepest sorrow that we learn of the passing of this distinguished citizen and public servant of Texas; and be it further

Resolved, That we express to members of this family our deep sympathy in their great loss, and that copies of this resolution be sent to his immediate family; and be it further

Resolved, and it is so directed, That a page in the Journal be set aside in honor of his memory.

HARMAN,
WESTBROOK,
FORD,

MATHIS,
TERRELL of Cherokee,
SATTERWHITE,

McGREGOR,
HOLLAND.

Signed—Minor, Speaker; Adams of Harris, Adams of Jasper, Adamson, Adkins, Akin, Alsup, Albritton, Anderson, Baker, Barron, Beck, Bedford, Bond, Bounds, Boyd, Bradley, Brice, Brooks, Bryant, Burns of Walker, Burns of McCulloch, Carpenter, Caven, Claunch, Coltrin, Coombes, Cox of Lamar, Cox of Limestone, Cunningham, Dale, Daniel, Davis, Dodd, Donnell, Dowell, Dunlap, Duvall, Dwyer, Elliott, Engelhard, Farmer, Farrar, Ferguson, Finn, Fisher, Forbes, Fuchs, Gilbert, Giles, Goodman, Graves, Greathouse, Grogan, Hanson, Hardy, Harrison of El Paso, Harrison of Waller, Hefley, Herzik, Hill, Hines, Holder, Holloway, Hoskins, Howsley, Hubbard, Hughes, Jackson, Jones of Shelby, Jones of Atascosa, Johnson of Dallam, Johnson of Dimmit, Justiss, Kayton, Keller, Kennedy, Laird, Lasseter, Lee, Lemens, Leonard, Lilley, Lockhart, Long, McCombs, McDougald, Magee, McGill, Martin, Mehl, Metcalfe, Moffett, Moore, Morse, Munson, Murphy, Nicholson, Olsen, O'Quinn, Patterson, Petsch, Pope, Ramsey, Ratliff, Ray, Reader, Richardson, Rogers, Rountree, Sanders, Savage, Scott, Shelton, Sherrill, Smith of Bastrop, Smith of Wood, Sparkman, Stephens, Stevenson, Steward, Strong, Sullivant, Tarwater, Terrell of Val Verde, Towery, Turner, Van Zandt, Vaughan, Wagstaff, Walker, Warwick, Weinert, West of Coryell, West of Cameron, Wiggs, Wyatt, Young.

The resolution was read second time.

On motion of Mr. Farrar, the names of all the members by the House were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote.

Expressing Sympathy
to the
Hon. John N. Garner and Family

Mr. West of Cameron offered the following resolution:

Whereas, Death is no respecter of persons, but touches his dreamless slumbers to the eyelids of old age, bringing rest and repose to the tired and weary hands, and kisses to sleep rosy, dimpled childhood, stilling the pattering of little feet; and

Whereas, A grave is a grave whether in the bosom of a marble mountain or in the shade of a hawthorne tree, the same mystery inhabits them both; and

Whereas, Death has claimed for his all embracing own Mrs. Nancy Garner, the mother of Hon. John N. Garner, Speaker of the National House of Representatives; and

Whereas, We realize the futility of words of sympathy when unsustained by faith and their soothing power when upheld by a consciousness that we shall live again; therefore, be it

Resolved by the House of Representatives of the State of Texas, That we deeply sympathize with Hon. John N. Garner in this his hour of bereavement, and commend to him his mother's hope which saw a star and her faith which writes o'er every grave, "I am the resurrection and the life." Be it further

Resolved, That the Clerk of the House be instructed to send a copy of this resolution to Mr. Garner and members of the family.

WEST of Cameron,
MORSE,
HARDY,
McCOMBS,

DUNLAP,
JONES of Atascosa,
COLTRIN,

JOHNSON of Dimmit,
LEONARD,
HILL.

Signed—Minor, Speaker; Adams of Harris, Adams of Jasper, Adamson, Adkins, Akin, Alsup, Albritton, Anderson, Baker, Barron, Beck, Bedford, Bond, Bounds, Boyd, Bradley, Brice, Brooks, Bryant, Burns of Walker, Burns of McCulloch, Carpenter, Caven, Claunch, Coombes, Cox of Lamar, Cox of Limestone, Cunningham, Dale, Daniel, Davis, Dodd, Donnell, Dowell, Duvall, Dwyer, Elliott, Engelhard, Farmer, Farrar, Ferguson, Finn, Fisher, Forbes, Ford, Fuchs, Gilbert, Giles, Goodman, Graves, Great-house, Grogan, Hanson, Harman, Harrison of El Paso, Harrison of Waller, Hefley, Herzik, Hines, Holder, Holland, Holloway, Hoskins, Howsley, Hubbard, Hughes, Jackson, Jones of Shelby, Johnson of Dallam, Justiss, Kayton, Keller, Kennedy, Laird, Lasseter, Lee, Lemens, Lilley, Lockhart, Long, McDougald, McGill, McGregor, Magee, Martin, Mathis, Mehl, Metcalfe, Moffett, Moore, Munson, Murphy, Nicholson, Olsen, O'Quinn, Patterson, Petsch, Pope, Ramsey, Ratliff, Ray, Reader, Richardson, Rogers, Rountree, Sanders, Satterwhite, Savage, Scott, Shelton, Sherrill, Smith of Bastrop, Smith of Wood, Sparkman, Stephens, Stevenson, Steward, Strong, Sullivant, Tarwater, Terrell of Cherokee, Terrell of Val Verde, Towery, Turner, Van Zandt, Vaughan, Wagstaff, Walker, Warwick, Weinert, West of Coryell, Westbrook, Wiggs, Wyatt, Young.

The resolution was read second time.

On motion of Mr. Vaughan, the names of all the members of the House were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote.